

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 23 Panic Alarms in Public Schools

SPONSOR(S): Gottlieb, Daley and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 70

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Innovation Subcommittee		McAlarney	Brink
2) PreK-12 Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

This bill creates “Alyssa’s Law,” which requires each public school building to be equipped with at least one panic alarm for use in a school security emergency such as an active shooter situation, a non-fire evacuation, or a lockdown. The panic alarm is required to bypass the E911 system so that the emergency signal will be transmitted directly to the local law enforcement agencies designated as first responders to the school.

The bill defines “panic alarm” as a silent security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement.

The bill also defines “public school building” to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day.

The bill has an indeterminate, but likely significant, fiscal impact on school districts.

The bill takes effect on July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Alyssa's Law

New Jersey passed a law in 2019 called Alyssa's Law.¹ "Alyssa's Law" requires public school buildings in New Jersey to be equipped with panic alarms linked to local law enforcement.² The law is named after Alyssa Alhadeff, a Marjory Stoneman Douglas High School student who was one of the 17 people killed during a shooting at the school in February 2018.^{3, 4}

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. They must establish model emergency management and preparedness procedures that must include, among other things, notification procedures for life-threatening emergencies.⁵ The policies and procedures must be formulated in consultation with appropriate public safety agencies and must include commonly used alarm system responses for specific emergencies. The policy must identify those responsible for reporting the emergency.⁶ Life-threatening emergencies are defined as weapon-use; hostage and active shooter situations; hazardous materials or toxic chemical spills; severe weather (hurricanes, tornadoes, and severe storms); and exposure as a result of a manmade emergency.⁷

Enhanced 911

The Federal Communications Commission requires wireless phone companies to implement the Enhanced 911 (E911) service.⁸ Enhanced 911 is a service that automatically displays the telephone number and physical location of the 911 caller on the emergency operator's screen. This is unlike basic 911 service, where the distressed caller has to tell the operator where he or she is calling from. E911 is crucial in circumstances where the caller cannot communicate his or her whereabouts, as it ensures the operator is still able to send emergency response services to the correct location. E911 also involves Selective Routing, whereby the 911 call is routed to the appropriate PSAP (Public Safety Answering Point) based on the caller's physical location.⁹ A PSAP is a dispatch center staffed by emergency operators that receives 911 calls and dispatches fire, police, or medical services, depending on the nature of the emergency.¹⁰ PSAPs are generally controlled at the city or county level.

¹ P.L. 2019, c. 33, New Jersey A764, available at <https://trackbill.com/bill/new-jersey-assembly-bill-764-alyssas-law-requires-public-school-buildings-to-be-equipped-with-panic-alarm-linked-to-local-law-enforcement/1528416/#/details=true>. See also https://www.njleg.state.nj.us/2018/Bills/A1000/764_R4.PDF.

² *Id.*

³ Russ Crespolini, *Silent Panic Alarms Coming To All Chatham Schools*, The Patch, May 1, 2019, available at <https://patch.com/new-jersey/chatham/silent-panic-alarms-coming-all-chatham-schools> (last visited January 17, 2020).

⁴ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (Nov. 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited January 17, 2020).

⁵ Section 1006.07(4)(a), F.S.

⁶ *Id.*

⁷ Section 1006.07(4)(b), F.S.

⁸ Federal Communications Commission, Fact Sheet, *FCC Wireless 911 Requirements*, available at https://transition.fcc.gov/pshs/services/911-services/enhanced911/archives/factsheet_requirements_012001.pdf.

⁹ Intrado, *E911 Frequently Asked Questions*, <https://www.west.com/safety-services/enterprise-e911-solutions/what-is-e911-faqs/> (last visited January 17, 2020).

¹⁰ Section 365.172(3)(y), F.S.

An E911 location is the dispatchable address where a 911 caller is located. It includes the caller's specific address, but may also include details such as the floor, wing, room, or office of the caller to allow arriving first responders more quickly locate the source of the emergency.¹¹

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission (commission) is charged with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents and developing recommendations for system improvements.¹² The commission submitted its initial report to the Governor and the Legislature on January 2, 2019,¹³ and its second report to the Governor and Legislature on November 1, 2019.¹⁴ The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.¹⁵

The commission's second report includes numerous school safety and security recommendations, which includes language directing that, "some emergency drills should require movement and exercise all necessary aspects of the drill and emergency operations plan, including panic buttons ..." and "the timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously."¹⁶

Panic Buttons

The U.S. Department of Homeland Security has identified a variety of technologies school districts can use to enhance school safety, including mass notification systems such as panic alarms.¹⁷ Panic buttons can be set up at a school and monitored by the school administration, local law enforcement, can be hard wired, wireless, or application-based devices that send a signal notifying first responders of a school security emergency.¹⁸

Some mobile phone applications, "act as panic buttons, which any teacher can press to send an alert to the phone of police officers within a certain radius of a school."¹⁹ Other mobile phone applications focus on locking down or activating other protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring CCV.²⁰

Effect of Proposed Changes

The bill establishes "Alyssa's Law" to require that each public school building be equipped with at least one panic alarm for use in a school security emergency such as a non-fire evacuation, lockdown, or active shooter situation. The panic alarm must be directly linked to the local law enforcement agencies that are designated as first responders to the school's campus, bypassing the E911 system, so that the emergency signal will be transmitted to individual officers upon being activated.

The bill defines "panic alarm" to mean a silent security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement. "Public school building" is defined

¹¹ Intrado, *supra* note 9.

¹² Section 943.687(3), F.S.

¹³ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf>.

¹⁴ Marjory Stoneman Douglas High School Public Safety Commission, *supra* note 4.

¹⁵ Section 943.687(9), F.S.

¹⁶ Marjory Stoneman Douglas High School Public Safety Commission, *supra* note 4.

¹⁷ U.S. Department of Homeland Security, *K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence* (2nd Edition: 2018), available at <https://www.cisa.gov/publication/k-12-school-security-guide>.

¹⁸ SECURalert, *Security Systems for Schools*, <https://www.securalert.net/blog/duress-system/security-systems-for-schools/> (last visited January 17, 2020).

¹⁹ U.S. Department of Homeland Security, *supra* note 17.

²⁰ *Id.*

to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day.

B. SECTION DIRECTORY:

Section 1. Allows act to be cited as “Alyssa’s Law.”

Section 2. Creates s. 1013.373, F.S., requiring panic alarms in public schools.

Section 3. Provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The bill requires all public elementary, middle and high school buildings, where instruction takes place or where students are present during the day, to have a panic alarm system. There are approximately 3,600 regular elementary, middle, high school, and combination schools in Florida. It is unknown how many “public school buildings” as defined in the bill are located at these schools. It is unknown the extent to which these schools currently have the type of panic alarm system required by this bill installed. The bill has an indeterminate, but likely significant, fiscal impact to school districts.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The panic alarm system for all public elementary, middle and high schools would be sold and installed by private sector vendors. This would have a positive fiscal impact on vendors selling and/or installing panic buttons.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.